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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/734,700	12/11/2003	Balaji S. Thenthiruperai	2493	8862

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EXAMINER	
IQBAL, KHAWAR	

ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/734,700	THENTHIRUPERAI ET AL.	
	Examiner	Art Unit	
	KHAWAR IQBAL	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 June 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,9-11,13-25,29 and 30* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5, 9-11, 13-25 and 29-30* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1-5, 9-11, 14-25, 29 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barclay (20030119522) further in view of Aykanen (20020173317).

Regarding claim 1 Barclay et al teaches a method comprising (Fig. 4):

in a client station (101, fig. 1), detecting a request to initiate voice call (customer makes an emergency call to the emergency person using wireless device 101, see fig. 4, step 401, para. # 0019); and

responsive to the request, sending from the client station (101) into a network (cellular communication network) a message indicating how to carry out a location-based service (when call is placed to or by a customer using wireless device 101, it is determine in the wireless device 101 location provision feature, para. # 0019), wherein the message indicates a location granularity preference of a user of the client station (examiner read as claim limitation "location granularity preference" interpreted that providing option of providing the location of the wireless device 101 with using different kind of codes, i.e., messages, for example *57, *67 and *77 to disable or permanently disable the location or user grant permission to send location by entering code to enabled the position, para. # 0018-0020). Barclay does not explicitly state the memory of the client station includes

a plurality of location granularity preferences and each location granularity preference corresponds to a respective location application.

In an analogous art, Aykanen teaches the memory of the client station includes a plurality of location granularity preferences and each location granularity preference corresponds to a respective location application (a request for level of location information concerning a mobile terminal from a local application (1-1) residing in the terminal through an application program interface (1-3). A particular source from a set of potential sources is determined to provide the requested location information to the local Application, para. # 0024-0029, fig. 1-5).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Barclay teaches by specifically adding features the memory of the client station includes a plurality of location granularity preferences and each location granularity preference corresponds to a respective location application in order to enhance to provide option for user with a specified level of position accuracy taught by Aykanen et al.

Regarding claim 2 Barclay et al teaches wherein detecting the request to initiate the voice call comprises receiving a set of dialed digits from a user of the client station (para. # 0019, see claim 1 above).

Regarding claim 3 Barclay et al teaches further comprising comparing the set of dialed digits to sets of dialed digits stored in a database of the client station (para. # 0019, see claim 1).

Regarding claim 4 Barclay et al teaches further comprising recognizing that the set of dialed digits corresponds to a selected telephone number (para. # 18-20, see claim 1 above).

Regarding claim 5 Barclay et al teaches wherein sending the message from the client station into the network comprises sending the message from the client station to a location-based service provider associated with the selected telephone number (para. # 18-20).

Regarding claim 9 Barclay et al teaches wherein the message directs the network to determine a location of the client station (para. # 18-20, see claim 1).

Regarding claim 10 Barclay et al teaches wherein the message directs the network not to determine a location of the client station (para. # 18-20, see claim 1, above).

Regarding claim 11 Barclay et al teaches wherein the message indicates a location determination consent level of a user of the client station (para. # 18-20, see claim 1).

Regarding claim 12 Barclay et al teaches wherein the message indicates a location granularity preference of a user of the client station (para. # 18-20, see claim 1).

Regarding claim 14 Barclay et al teaches further comprising receiving a location based service in response to the message from the network (para. # 18-20, see claim 1).

Regarding claim 15 Barclay et al teaches further comprising storing the location granularity preference on the client station (para. # 18-20, see claim 1, above).

Regarding claim 16 Barclay et al teaches further comprising the user modifying the location granularity preference on the client station (para. # 18-20, see claim 1 and Aykanen).

Regarding claim 17 Barclay et al teaches further comprising receiving a response to the message from the network indicating a location of the client station (para. # 18-20, see claim 1).

Regarding claim 18 Barclay et al teaches wherein sending the message from the client station into the network comprises sending a short message service (SMS) message into the network (para. # 18-20, see claim 1).

Regarding claim 19 Barclay et al teaches wherein sending the message from the client station into the network comprises sending an HTTP message into the network (Design choice, SMS or SIP or HTTP [WELL-KNOWN], para. # 18-20, see claim 1).

Regarding claim 20 Barclay et al teaches wherein sending the message from the client station into the network comprises sending an SIP message into the network (Design choice, SMS or SIP or HTTP [WELL-KNOWN], para. # 18-20, see claim 1).

Regarding claim 21 Barclay et al teaches wherein sending from the client station into the network the message indicating how to carry out the location-based service comprises sending the message via a communication path comprising an air interface (para. # 18-20).

Regarding claim 22 Barclay et al teaches a method comprising (figs. 1-5):

receiving a request from a user to place a voice call to a given directory number (matching number dial by user) (para. # 18-20); recognizing that the given directory number is associated with a particular destination party (para. # 18-20); and responsive to the request and before initiating the voice call to the given directory number, sending to the particular destination party a message indicating a location granularity preference of the user (para. # 0016, 0018-0020). Barclay does not explicitly state the memory of the client station includes a plurality of location granularity preferences and each location granularity preference corresponds to a respective directory number.

In an analogous art, Aykanen teaches the memory of the client station includes a plurality of location granularity preferences and each location granularity preference corresponds to a respective directory number (a request for level of location information concerning a mobile terminal from a local application (1-1) residing in the terminal through an application program interface (1-3). A particular source from a set of potential sources is determined to provide the requested location information to the local Application, para. # 0024-0029, fig. 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Barclay teaches by specifically adding features the memory of the client station includes a plurality of location granularity preferences and each location granularity preference corresponds to a respective directory number in order to enhance to provide option for user with a specified level of position accuracy taught by Aykanen et al.

Regarding claim 23 Barclay et al teaches wherein the given directory number corresponds to a location-based application (para. # 18-20).

Regarding claim 24 Barclay et al teaches wherein the particular destination party corresponds to an entity selected from the group consisting of a location-based application and a location system (para. # 18-20).

Regarding claim 25 Barclay et al teaches wherein recognizing that the given directory number is associated with the particular destination party comprises comparing the given directory number with location-based service numbers stored on a client station of the user (para. # 18-20).

Regarding claim 29 Barclay et al teaches a client station comprising (figs. 1-5):

a processor; data storage (para. # 18-20); and

program logic stored in the data storage and executable by the processor, to: detect a request to initiate a call (para. # 0018), and responsive to the request, send into a network a message indicating how to carry out a location-based service, wherein the message indicates a location granularity preference of a user of the client station (para. # 0016, 0018-0020). Barclay does not explicitly state the memory of the client station includes a plurality of location granularity preferences and each location granularity preference corresponds to a respective location application.

In an analogous art, Aykanen teaches the memory of the client station includes a plurality of location granularity preferences and each location granularity preference corresponds to a respective location application (a request for level of location information concerning a mobile terminal from a local application (1-1) residing in the terminal through an application program interface (1-3). A particular source from a set

of potential sources is determined to provide the requested location information to the local Application, para. # 0024-0029, fig. 1-5). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Barclay teaches by specifically adding features the memory of the client station includes a plurality of location granularity preferences and each location granularity preference corresponds to a respective location application in order to enhance to provide option for user with a specified level of position accuracy taught by Aykanen et al.

Regarding claim 30 Barclay et al teaches wherein the client station is selected from the group consisting of a mobile station and a landline station (para. # 0018, fig. 1, see claim 29 and Aykanen).

Claim 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barclay (20030119522) further in view of Aykanen (20020173317) and McDonnell et al (6799032).

Barclay does not explicitly state provide a randomly adjusted location of the client station to a location-based application.

In an analogous art, McDonnell et al teaches provide a randomly adjusted location of the client station to a location-based application (col. 9, lines 27-42). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the device of Barclay and Aykanen teaches by specifically adding features provide a randomly adjusted location of the client station to a location-based application in order to enhance to provide option for user with a specified level of position accuracy taught by McDonnell et al.

Response to Arguments

3. Applicant's arguments with respect to claims 1-5, 9-11, 13-25 and 29-30 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KHAWAR IQBAL whose telephone number is (571)272-7909. The examiner can normally be reached on 9 am to 6.30 pm Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, GEORGE ENG can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/K. I./
Examiner, Art Unit 2617

/KAMRAN AFSHAR/

Primary Examiner, Art Unit 2617